



# City of Annapolis

Department of Planning & Zoning  
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## Planning Commission

June 2, 2011

The regular meeting of the Planning Commission of the City of Annapolis was held on June 2, 2011 in City Council Chamber. Chair DiQuinzio called the meeting to order at 7:30p.m.

Commissioners Present: **Chair** DiQuinzio, **Vice Chair** Dr. Harris, Waldman, Herald, Urban

Commissioners Absent: Dr. Scott

Staff Present: J. Arason, K. Scott

Mr. Urban moved approval of the agenda as submitted. Dr. Harris seconded the motion. **Passed 5-0.**

### B. APPROVAL OF MINUTES

#### **April 21, 2011 Meeting Minutes**

Mr. Herald moved approval of the April 21, 2011 meeting minutes as written. Mr. Waldman seconded the motion. **Passed 5-0.**

### C. OLD BUSINESS

#### **1. Buddy's Crabs and Ribs, One Inc. Special Exception, #S.E. 2010-024 Continued Deliberations**

Mr. Arason clarified that the Buddy's Crabs and Ribs application was continued to allow the applicants to arrange a meeting with the surrounding neighbors who shared the alley and those who spoke at the public hearing as well as those within 200-feet to address their concerns. This meeting was held on May 26, 2011 and was very well attended. He explained that the meeting resulted in some of the concerns being addressed but there were some that could not be resolved. He concluded by stating that Condition #3 was amended to allow the hand carting of goods off the rear entrance.

Mr. Urban thanked the applicant for meeting with the residents and doing what was necessary to resolve their concerns.

Mr. Waldman moved approval of the applicant subject to the amending of Condition #3 to read "...except for the hand carting of goods off the rear entrance of Cornhill Street after 8:00am." **Passed 5-0.**

Mr. DiQuinzio volunteered to prepare the findings.

#### **2. O-36-10, WMC Zoning District Continued Deliberations**

Mr. Arason reminded the Commission that this agenda was tabled and that there is a 90 day timeline from the date the review is completed in order to move the application forward. He explained that there will be a zoning map amendment presented to the Commission in July.

Mr. Waldman moved to recommend denial of the Ordinance #O-36-10 text amendment. Mr. Herald seconded the motion. **Passed 3-1.** (Mr. Urban abstained)

Mr. Waldman agreed to prepare the findings.

**D. PUBLIC HEARINGS AND DELIBERATIONS**

**1. Sears Site Design Plan Review – SDP2011-019**

Mr. Urban disclosed that he is not associated with Urban Engineering Planning and Landscape Architects.

Mr. Scott presented the site design review to construct a shed dormer addition to the upper level of existing house. He clarified that any structures over 3,250 square feet in the R2NC district require the Planning Commission approval. The proposed addition will bring the square footage up by 250 square feet so that total square footage is 4,056. Staff concluded that the applicant has met all the requirements for approving a site design plan so recommends approval. The owners of the adjacent property do not object to the dormer proposal.

Mr. Sears explained that the house is currently made of cedar stained shingles and this will be retained. The roofing materials proposed is standing seam metal. He noted that the ECA made some minor modifications that were incorporated in the application.

Public testimony opened at 7:57pm and those speaking on the application are listed below.

Name	Address	In Favor	In Opposition
Derek Robertson	521 Burnside Street	X	

Mr. Urban moved approval of the application as submitted. Dr. Harris seconded the motion. **Passed 5-0.**

Mr. Urban was appointed to prepare the findings.

**2. Ordinance O-20-11, ZTA2011-007**

Mr. Urban recused himself from participating on this application.

Mr. Arason explained that currently the MX zoning designation requires that all buildings fronting on West Street have some retail space in it with a caveat that if the owner is unable to lease the space for retail use within six months it can be reverted to another use permitted in the MX zoning district. This ordinance will change the language to eliminate the requirement for first floor retail commercial uses for new buildings in the MX zoning district on parcels greater than 39,000 square feet that include single-family dwellings with common open space. He noted that the MX zoning does provide floor area ratio bonuses for residential and ground floor retail. He would support the ordinance if it is amended to read "Ground floor retail commercial uses are not required for town house or single family residential dwelling units having entrances abutting West Street." He distributed a copy of a resolution from the Annapolis Economic Development Corporation that states their support of this change.

Public testimony opened at 7:57pm and those speaking on the application are listed below.

Name	Address	In Favor	In Opposition
Alan Hyatt	Attorney for Bozzuto Homes, Property Owner	X	
Dirk Geratz	44 Lafayette Avenue	X	
John Clemens	48 Madison Place	X	
Sean O'Neil	Annapolis Business Association		X
Denise Worthen	65 Southgate Avenue	X	

Mr. Herald moved approval of the application as recommended by staff. Mr. Waldman seconded the motion. **Passed 4-0.** (Dr. Scott and Mr. Urban abstained from the voting)

**E. ADOPTION OF FINDINGS**

**1. Ordinance #O-40-10, Fence Permits**

Mr. Waldman moved to approve the ordinance as written. Mr. Urban seconded the motion. **Passed 5-0.**

**2. Ordinance #O-37-10, B1 Zoning District Use**

Mr. Waldman moved to approve the ordinance as written. Dr. Harris seconded the motion. **Passed 5-0.**

**F. ADJOURNMENT**

Mr. Waldman moved to adjourn the meeting at 10:04pm. Mr. Herald seconded the motion. **Passed 5-0.**

Tami Hook, Recorder